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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/538,044   | 06/08/2005  | Osten Erikmats       | 3670-58             | 1441             |
| 23117  | 7590        | 08/18/2006           | EXAMINER            |                  |
| NIXON & VANDERHYE, PC<br>901 NORTH GLEBE ROAD, 11TH FLOOR<br>ARLINGTON, VA 22203 |             |                      | GREGORY, BERNARR E  |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 3662                |                  |

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                    |                 |
|------------------------------|--------------------|-----------------|
| <b>Office Action Summary</b> | Application No.    | Applicant(s)    |
|                              | 10/538,044         | ERIKMATS ET AL. |
|                              | Examiner           | Art Unit        |
|                              | Bernarr E. Gregory | 3662            |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-15 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 08 June 2005 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

|   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: ____.                                    |

1. The drawings are objected to because certain box-type drawing elements lack descriptive labelling per 37 CFR 1.84(o). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are **required** in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

In Figure 5 of the drawings of 08 June 2005, box-type drawing element 9 must be descriptively labelled per 37 CFR 1.84(o).

In Figure 7 of the drawings of 08 June 2005, box-type drawing elements 15 and 18 must be descriptively labelled per 37 CFR 1.84(o).

For example, if a box-type drawing element were to represent an amplifier, then it ought to be labelled "AMPLIFIER" or bear an internationally-recognized

schematic symbol that identifies what the box-type drawing element represents.

Correction is hereby **required**.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Throughout claims 1-15, the uses of "complex video signals" are indefinite and unclear in context. Does this means that the signals are in quadrature form? On lines 7-8 of independent claim 1, the phrase "the video signals being represented in a first channel (K1) and a second channel (K2)" is indefinite and unclear in context. Particularly, what is meant in context by signals "being represented in" a "channel"? The same problematic language occurs at lines 6-7 of independent claim 9.

On line 9 of claim 1, the phrase "arranged in such a way that ..." is indefinite and unclear in context in that the claim language fails to claim clearly and definitely the particular arrangement of the claimed "clutter-suppressing means" that achieves the expressed functional result.

On lines 13-14 of claim 1, the phrase "arranged to estimate ..." is indefinite and unclear in context in that the claim language fails to claim clearly and definitely the particular arrangement of the claimed "clutter-suppressing

means" that achieves the expressed function result of estimating a complex constant (see line 14).

On line 16 of claim 1, the phrase "intended to suppress" is indefinite in context in that it expresses potential action rather than claiming action clearly and definitely.

On line 2 of dependent claim 4, the phrase "set up for estimating" is indefinite and unclear in that the claim language fails to claim clearly and definitely the "set up" of the "clutter-suppressing means" that achieves the expressed function result of estimating the complex constant.

On lines 2-3 of dependent claim 5, the phrase "set up for estimating" is indefinite and unclear in that the claim language fails to claim clearly and definitely the "set up" of the "clutter-suppressing means" that achieves the expressed function result of estimating the complex constant.

Similarly, in dependent claims 6 and 7, the phrases "set up for determining ..." and "set up for suppressing ..." are indefinite and unclear in context.

Dependent claims 2-8 and 10-15 are unclear in that they depend from unclear independent claims 1 and 9.

4. Claims 1 and 9 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
5. Claims 2-8 and 10-15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

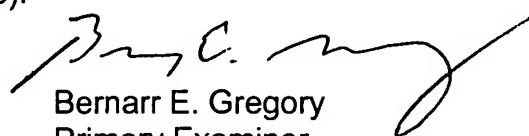
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The examiner-cited prior art herewith is of general interest for showing the state of the related prior art.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernarr E. Gregory whose telephone number is (571) 272-6972. The examiner can normally be reached on weekdays from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas H. Tarcza, can be reached on (571) 272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bernarr E. Gregory  
Primary Examiner  
Art Unit 3662